



DEPARTMENTS OF THE ARMY AND THE AIR FORCE  
NATIONAL GUARD BUREAU  
111 SOUTH GEORGE MASON DRIVE  
ARLINGTON, VA 22204-1382

NGB-ARO

30 September 2005

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES, TERRITORIES,  
THE COMMONWEALTH OF PUERTO RICO, AND THE DISTRICT OF COLUMBIA

SUBJECT: Active Duty Special Work (ADSW) Title 10 Guidance

1. **Purpose:** To provide guidance on the policies and procedures that govern the Title 10 ADSW Program in support of the Army National Guard (ARNG) Directorate and field offices.

2. **References:**

- a. Title 10, United States Code—Armed Forces.
- b. Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005.
- c. Army Regulation 135-200, Active Duty for Missions, Projects, and Training for Reserve Component Soldiers, 30 Jun 99.
- d. Army Regulation 600-8-10, Personal Absences, Leave and Passes, 31 Jul 03.
- e. Army Regulation 40-501, Standards of Medical Fitness, 12 April 04.
- f. Personnel Policy Guidance for Operations Enduring Freedom, 24 Oct 01.

3. **Definitions.**

a. Active Duty Special Work. Projects supporting ARNGUS programs such as short term missions, administrative support, training and other duty, other than inactive duty. This duty is performed by a member of the Army National Guard of the United States as a member of the National Guard of a State or territory, the Commonwealth of Puerto Rico, or the District of Columbia in a Title 10 status for which the member is entitled to pay from the United States.

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b. Operational Support. Active duty, other than Active Guard and Reserve duty, under 12301(d) of Title 10; Full Time National Guard Duty (FTNGD), other than Active Guard and Reserve duty, under Section 502(f)(2) of Title 32, United States Code; and active duty for training performed at the request of an organizational or operational commander, or as a result of reimbursable funding. For this program the definition is limited to:

- (1) All ADSW.
- (2) Active duty and active duty for training performed as a result of reimbursable funding.
- (3) Funeral Honors duty performed in an other than inactive duty status.
- (4) Active duty performed as a result of a request of an operational commander to provide support.

#### 4. **Applicability:**

a. This policy applies to Soldiers serving on ADSW tours under Title 10 USC 12301(d) within all States, Territories, the Commonwealth of Puerto Rico, and the District of Columbia.

b. This policy does not apply to ARNG Soldiers serving on Full Time National Guard Duty Special Work (FTNGDSW), Counter Drug (CD), or Temporary Tour of Active Duty (TTAD). Personnel actions involving Title 32 USC should be coordinated with NGB-ARH.

#### 5. **General Policy:**

a. **Authorized projects.** ADSW is authorized for projects supporting ARNGUS programs such as -

- (1) Support of annual screening.
- (2) Operation of training activities, centers, and sites.
- (3) Operation of training ships.
- (4) Unit conversion to new weapons systems.
- (5) Study groups.
- (6) Support at training sites and exercises.
- (7) Short term mission and administrative support.

ADSW **will not** be used to meet real or perceived manpower shortages. Normally this program must be used for temporary projects or missions that will not exceed 139 days. The Ronald W. Reagan National Defense Act for FY 05 authorizes the NGB to approve

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projects lasting 140 days or more. NGB-ARO will accept requests for up to 365-day tours. Requirements over 365 days require the Director, Army National Guard (DARNG) approval. In any case, ADSW is not intended to be a vehicle to provide entitlements of separation pay, sanctuary, or retirement.

b. **Approval authority.** Initial requests for the approval of ADSW positions will be sent through command and/or staff agency channels to the Title 10 ADSW Program Manager located at the Army National Guard Readiness Center (ARNGRC), 111 S. George Mason Drive, Arlington, Virginia 22204. Upon approval, the Title 10 ADSW Program Manager will issue a Letter of Authorization to the state to cut Title 10 ADSW orders. The State ADSW Manager will validate each Title 10 ADSW packet and maintain internal control measures for this program. The State Joint Forces Headquarters (JFHQ) is the final approval authority for all ADSW tours.

**6. Eligibility Requirements:** Applicants for Title 10 ADSW tours must—

a. Be a federally recognized member of the ARNGUS of a State or Territory in an Active Reserve status.

b. Meet the Army medical requirements defined in AR 135-200.

c. Not be within 6 months of mandatory removal or expiration of term of service on the report date of the tour. This requirement may be waived by the Chief, National Guard Bureau (CNGB).

d. Not have served greater than 17 years of Active Service (AS) unless waived by Deputy Chief of Staff for Personnel, HQDA –G1.

e. Not be placed on orders that will create an entitlement for separation pay unless waived by the DARNG.

f. Not have completed 3 years of consecutive active duty assignments unless waived by the DARNG.

g. Not have served on ADSW/ FTNGD for more than 1,095 days (three years) out of the preceding 1,460 days (four years - this is a rolling four-year window which looks back at the most recent 1,460 days) with an implementation date of 28 October 2004. A waiver from the DARNG is required to serve beyond these limitations.

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h. All Soldiers applying for ADSW will sign the following statement in the remarks section of DA Form 1058–R: “I understand that, although at the completion of my tour, I may be within 2 years of qualifying for an active duty retirement under 10 USC 1293, 3911, or 3914, it is current Army policy that I will be released from active duty at the completion of my tour unless my continued retention on active duty is considered in the best interests of the Army by the Assistant Secretary of the Army (Manpower and Reserve Affairs). I hereby consent to being ordered to active duty for the period indicated and consent to my release from active duty at the completion of this tour.” No tour will be approved prior to the signing of this statement.

## **7. Medical Requirements:**

a. For tour consideration, Soldiers must meet the requirements for Chapter 3 medical retention IAW AR 40-501, Standards of Medical Fitness and IAW AR 600-9, The Army Weight Control Program.

b. Paper submission of Soldier medical records as part of an ADSW packet is no longer required. The Medical Protection System (MEDPROS) will be used to assess the medical readiness of the Soldier. The system provides information on immunizations, DNA and HIV status, dental readiness, periodic physicals, medical and limited duty profiles, non-deployability medical profiles, occupational protection and equipment status, and men and women health issues.

c. To ensure compliance of the Chapter 3 medical accession standards of the Title 10 ADSW Program, the Soldier’s MEDPROS Individual Medical Readiness (IMR) report must be reviewed by the Soldier’s parent unit. If these standards are not met, the unit must provide all original medical documents to their respective state medical detachment personnel to update the Soldier’s information.

## **8. Tour Justification:**

a. The sponsor is required to prepare and forward a valid justification as part of each Title 10 ADSW tour request. The sponsor must insure the justification specifies a start and end date and lists clearly identifiable milestones to be accomplished during the tour. The Title 10 ADSW tour request must clearly state the individual qualifications and prerequisites required for the position. (Enclosure 1)

b. The justification for tours exceeding 30 days must list projected milestones the applicant will accomplish during the tour. The sponsor, or designated representative with signature authority (06 or equivalent), must sign the ADSW Tour Request.

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c. The Plans and Programs Branch, Operations Division (NGB-ARO-O), reviews and validates all Title 10 ADSW tour requests. Approval of Title 10 ADSW tour requests depends upon the critical nature of the tour, ARNG leadership priorities, available resources, and policies.

d. Until the ADSW Tour Request is approved, the sponsor should take no further action.

9. **Application Packet:** The following documents are required for all Title 10 ADSW tour applicants. The ADSW Manager will advertise approved positions so as to allow for receipt of applications thirty days prior to the requested start date of the tour. The state ADSW Manager is responsible for assisting the applicant in forwarding the documents listed below.

a. Applicants should submit a copy of the approved ADSW Tour Request/Announcement.

b. The Application for Active Duty Special Work, DA Form 1058-R, must bear the signature of the unit commander and the unit records custodian. The applicant must verify the information indicated on the form is correct and all applicable items are complete.

c. A current Retirement Point Assessment Statement (RPAS), NGB Form 23A, is required and is used to determine the applicant's total years of service, total years of Active Federal Service (AFS), and/or number of years of consecutive active duty assignments.

d. The JFHQ of the applicant's state/territory must submit a letter authorizing the applicant to perform a Title 10 ADSW tour for the specific dates identified in the approved ADSW Tour Request / Announcement. This letter can be signed by any state representative who has delegation of authority for the JFHQ. (Enclosure 2)

e. A security clearance validation memorandum from the state security manager indicating the clearance level of the applicant.

f. Army Physical Fitness Score Card, DA Form 705. If the Soldier is not in compliance with the Height/Weight table; submit DA Form 5500/5501 (Body Fat Worksheet).

g. Physical Profile, DA Form 3349. Soldiers with a permanent P3 or P4 Physical Profile must submit a copy of DA Form 3349 Medical Review Board results.

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h. Annual Medical Statement, DA Form 7349.

i. Pregnancy Statement (Females only). A pregnancy test showing NEGATIVE results is required within 15 days of start of orders and must be performed by an accredited medical laboratory. AR 40-501 paragraph 10-4(b) advises pregnancy is a disqualifying factor for entry on any duty greater than 30 days and for tour renewals.

#### **10. Processing Applications for Approved ADSW Tour Requests:**

a. Once an ADSW Tour Request is approved, the NGB Title 10 ADSW Support Team or ADSW Manager may assist the sponsor by advertising the position to the states and territories for fill. A sponsor that already has a suitable applicant in mind should notify the Title 10 ADSW Manager and have that Soldier submit a complete ADSW packet through proper channels.

b. For those positions advertised to the States or by other means, the Soldier should contact the sponsor point of contact as listed in the advertised position. If selected by the Sponsor, the state ADSW Manager will screen and forward all eligible applicant packets meeting minimum regulatory standards to the Title 10 ADSW Manager. The Title 10 ADSW Manager will review packet submissions to ensure each applicant meets the regulatory prerequisites for the tour. NGB-ARO-O is not a point of contact for Soldiers attempting to be selected for an ADSW tour. NGB-ARO-O only handles packets for Soldiers who have been selected for a specific tour.

#### **11. Title 10 ADSW General Guidance While On Tour :**

##### **a. General Rules Governing Soldiers on Title 10 ADSW Orders:**

(1) Orders for ADSW will not be broken to allow the affected soldier to perform Inactive Duty Training (IDT), Annual Training (AT), or attend any military schools under 15 days. This is to prevent the Soldier from losing benefits given for time in service such as VA benefits, DEERS, etc. Long-term projects will not be divided into multiple periods to avoid paying for typical non-duty days (e.g. weekends).

(2) A Soldier on ADSW will not be required to perform or attend IDT or AT with their assigned unit during the ADSW period.

(a) Sponsor reimbursement for travel expenses and/or per diem for the Soldier's voluntary participation at IDT or AT is not authorized.

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(b) A DA Form 1379 will be properly coded to give the Soldier constructive credit for IDT/AT attendance. The Soldier will not receive compensation in addition to ADSW pay and allowances.

(c) Sponsors will support States/units request for Soldier to return for IDT, AT or mobilization exercises. The ADSW project will not take precedence over units request for the Soldier. It is the Soldier's responsibility to ensure the sponsor and his unit commander establish the parameters for participation in unit IDT and AT activities.

(d) ADSW applicants applying for AGR tours will notify the ADSW manager prior to being selected for tours. The applicant will complete their ADSW tour prior to transferring into the AGR Program. Transition to AGR tours will be coordinated on a case-by-case basis with the NGB Office of Staff Management.

(3) Soldiers are not allowed to attend schools while on ADSW tour.

(4) A Certificate of Release or Discharge from Active Duty, DD Form 214, will be issued on release of 90 days or more.

(5) An Active Duty Report, DD Form 220, will be issued on release from ADSW of 89 days or less.

(6) For accounting purposes, Soldiers entering ADSW will have a Basic Active Service Date (BASD) established in TAPBD.

b. Tour Lengths:

(1) Soldiers on tours of 140 days or more will be placed in a permanent change of station (PCS).

(2) Tours less than 139 days will be in a Temporary Duty (TDY) status.

c. Leave Entitlements:

(1) Soldiers are entitled to leave based on the guideline established in Army Regulation (AR) 600-8-10, Personal Absences, Leave and Passes, 31 July 2003.

(2) Soldiers on a Title 10 ADSW tour are entitled to 2.5 days of leave per month. ADSW personnel accrue leave only when they are on 30 days or more of active duty. After the initial 30 days of consecutive service, Soldiers will earn 1/2 day of leave every six calendar days.

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(3) The sponsor must ensure Soldiers are afforded the opportunity to take leave during the course of their tour. Soldiers can opt to cash in their leave if there is a one day break or more in their tour. Soldiers can sell up to a total of 60 days of leave during the course of their military career. If there is a break of at least one day between ADSW tours, the Soldier will not be able to roll over their leave days to the new tour.

(4) Accrued leave above 60 days will be lost at the end of a fiscal year, September 30th of every year. A Soldier can sell any leave over the 60 days unless the Soldier has sold the maximum allowed of 60 days based on his/her entire military career. The only exception is for leave days accumulated during a tour of duty in a combat zone.

d. Early Release Procedures:

(1) Voluntary early release. Soldiers may request early release from ADSW. Requests will be in writing, will set forth the reasons for the request, and will be forwarded through the supervisor to the ADSW program manager.

(2) Involuntary early release. Sponsors will notify Soldiers of involuntarily release from the Title 10 ADSW program. Reasons for release will be in writing, and the sponsor must counsel the Soldier prior to release. The following reasons may be grounds for involuntary early release:

(a) The Soldier's conduct, degree of efficiency, or manner of performance is seriously deficient. As applicable, commanders/supervisors will ensure that Soldiers received sufficient training to perform in their position and, IAW AR 40-501, that a Soldier is assigned to military duties commensurate with that Soldier's physical profile so that a Soldier's physical limitations do not jeopardize mission accomplishment.

(b) The ADSW program is financed by an annual appropriation from Congress. If funding is reduced or curtailed, NGB-ARO-O will initiate policy to reduce the number of Soldiers serving on ADSW to meet funding limitations.

(c) Soldier's rank/pay grade is not reasonably appropriate for the ADSW task(s) they are performing.

(d) A change in mission requirements results in no further need for utilization of the Soldier's skills/pay grade.

(e) The Soldier is promoted or appointed to a higher grade based on the Soldier's traditional National Guard unit assignment and the Soldier is no longer grade compatible with the duties performed in the Soldier's ADSW duty position.



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(f) Soldier is assigned to a position that would cause a “grade inversion” where the supervisor is junior in military grade to the supervised.

(g) Officers, warrant officers, and enlisted personnel will be released from ADSW upon completion of 20 years of Active Federal Service (AFS).

(h) Soldier’s unit is deploying and requires Soldier to fill position within the unit.

e. Army Physical Fitness Test:

(1) Soldier will be given a diagnostic APFT by sponsor within two weeks of arriving at the ADSW duty location.

(a) Soldier will take next the regular scheduled record APFT with the Sponsor.

(b) Soldier cannot use the traditional unit APFT results in place of the APFT taken with the Sponsor.

(c) Soldier will take all scheduled APFTs with the sponsoring unit while on ADSW.

(2) Soldiers failing to pass two consecutive record APFTs will be released to their states.

f. Medical:

(1) 25-day Rule. RC Soldiers identified in the first 25-days as having a pre-existing medical condition that renders the individual non-deployable may be released from active duty (REFRAD) immediately. Disqualifying conditions include temporary and permanent conditions that do not meet medical retention standards. The Soldier must be referred to MMRB.

(2) 30-days and Pre-existing Medical Condition. RC Soldiers having served on active duty for 30-days or more identified as having a pre-existing medical condition that renders them not capable of meeting medical retention standards are required to undergo Medical Evaluation Board (AR 40-400)/Physical Evaluation Board (AR 635-40) (MEB/PEB) processing prior to REFRAD. In certain circumstances, RC Soldiers can be placed in medical hold, receive treatment, returned to duty, or processed through the Physical Disability Evaluation System (PDES).

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(3) Pregnancy. If a pregnancy is determined while on tour, the Soldier may volunteer for continued duty, but the needs of the Army National Guard will determine continued service. The Soldier will be counseled IAW AR 135-91, Chapter 4, Section V. The sponsor may REFRAD the Soldier. The Soldier may seek medical care as a Former Female Member (AR 40-400, paragraph 3-39) and she would apply for maternity care at the nearest Army MTF as a Secretary of the Army Designee. The Soldier may be eligible for prenatal care, delivery, and one follow-up visit. Upon delivery, the baby would become a pay patient of the hospital and receive one follow-up appointment.

**12. Application for Extension of ADSW Tour during the Fiscal Year:**

a. Sponsor will submit a request for extension along with a statement to justify extension of the current requirement.

b. Soldier will submit a complete updated packet (See Paragraph 9).

**13. NGB Waivers.** Requests must arrive at least 45-days in advance of the tour start date or they will be returned without action. Send waivers to ATTN: NGB-ARO-O, ADSW Manager, 111 South George Mason Drive, Arlington, VA 22204 for the actions listed below.

a. Waivers involving separation pay.

(1) Soldiers who have completed three or more continuous years of AFS should not be considered for an ADSW tour without having at least a one year break in service following his/her last ADSW tour. Waivers may be authorized by DARNG on an individual basis up to six years.

(2) Separation pay is payable to a Soldier who has completed six or more continuous years of AFS immediately before such discharge or release and is computed under 10 USC 1174. For purposes of this paragraph, a period of active duty is continuous if it is not interrupted by a break in service of more than 30 days. Separation pay is funded from the State Operating Budget and will be deducted from the fund cite account for which the Soldier was performing duty at time of separation.

b. Waivers for tours exceeding the 1095-day limitation. Soldiers who have exceeded the tour limitation of 1,095 days (three years) of combined ADSW/FTNGD out of the preceding 1,460 days (four years) require a waiver from the DARNG to serve beyond this limitation.

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**14. End Strength Reporting.** To ensure the proper use of the authority granted in Section 416 of the Ronald W. Reagan National Defense Authorization Act for FY05, ceilings were established to authorize the peak number of RC members who can be on duty at any time performing operational support.

a. NGB-ARM will track and submit to the Office of the Assistant Secretary of Defense for Reserve Affairs (OASD/RA), on a monthly basis, the peak number of RC members on duty performing operational support. This accountability does include counter drug Soldiers on Full Time National Guard Duty, Counter Drug (FTNGDCD) orders.

b. Monthly reporting began in August 2005 in accordance with the format and instructions provided by OASD/RA.

**15. Title 10 Orders Requirement.**

a. ADSW tours are funded from ARNGUS personnel appropriations. ADSW orders will cite 10 USC 12301(d) as authority. Orders must clearly state "Title 10 ADSW" on the orders.

b. All orders will have the following statement: "Subject to availability of funds" as some orders will cross the Fiscal year.

16. Point of contact is Major Obie Spratling at DSN 327-9311 or 703-607-9311, electronic mail: Obie.Spratling@ngb.army.mil.

2 Encls

1. State Release Letter
2. Justification/Tour Request

GERALD W. KETCHUM  
Lieutenant Colonel, FA  
Chief, Operations Division

**DISTRIBUTION:**

All States and Territories  
NGB Directories, G - Staff  
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## Enclosure 1

(Office Symbol)

(Date)

MEMORANDUM FOR: National Guard Bureau, ARO-O, ATTN: ADSW Program Manager,  
111 S George Mason Drive, Arlington, Virginia 22204

SUBJECT: Active Duty Special Work (ADSW) Tour Request - **(Position Title)**

1. Reference AR 135-200, Chapter 6.
2. Request Active Duty for Special Work (ADSW) tour for an **(Rank)**. **For the beginning of FY we do not want names. We will marry names to positions later. The positions need to be justified based on the mission and not by who is expected to fill the position.**
  - a. Sponsor Unit: **(sponsor unit/organization/branch)**. **This is the branch, etc, which is requesting the tour.**
  - b. Duty Location: **(post, city, state, zip code, country)**.
  - c. Immediate Supervisor: **(name, rank, title, commercial, and DSN telephone number, military address)**. **This should be the POC at the duty location.**
  - d. Tour Dates: Start **(day, month, year)**; End **(day, month, year)**.
  - e. Length of tour: **(the number of days)**.
  - f. Field Conditions: **(state if duty will be performed under field conditions)**.
  - g. Per-Diem: **(yes/no)** **(state if sponsor command or NGB will pay per diem costs)**.
  - h. Billeting: **(state if no charge government quarters are available and will be used)**.
  - i. OHA: **(state if OHA is authorized)**. **This will be determined by DFAS website**
  - j. Rations: **(state if government rations are available and will be used)**.
  - k. Travel: **(state if sponsor command or NGB will pay travel costs)**.

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l. Dependent Travel Authorized: **(yes/no)**.

m. Rental Car Authorized: **(yes/no)**

n. COLA: **(state if COLA is authorized)**. **This is determined thru checking DFAS website.**

3. Soldier qualifications:

a. Experience required: **(state types of experience needed)**.

b. Skills/qualifications required: **(state types of skills and/or qualifications needed)**.

c. Minimum military and civilian education required: (if none, so state)

d. Security clearance required: **If any.**

4. Project justification:

a. The project to be completed is **(describe clearly what is to be accomplished)**. **An accurate, detailed job description enhances the chance of approval.**

(1) By **(day, month, year)**, the Soldier will have completed **(state the first milestone toward accomplishment of the project or mission)**.

(2) **(List subsequent milestones as shown above by month)**. **Be as specific as possible. There may be some positions which do not have specific milestones, but some statement of duties must be shown.**

(3) **(State how the project or mission will be completed if not completed by the termination date of the tour)**.

b. Assigned personnel, AGR, or DA Civilian, cannot accomplish this project because **(Explain why this work required would exceed that normally accomplished by full-time personnel. A blanket statement that such work is excessive without giving an explanation is not sufficient)**. **If the mission is in support of the Global War on Terrorism, make sure this is stated. Key words such as “increased OPTEMPO” and “support of GWOT,” are helpful.**

c. The need for this project was created by **(name the action or directive involved and explain how the action or directive created the need)**. **There may be a specific regulation or other document that creates the need for this or it can be the GWOT.**

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d. The project is vital to the function of this office and the ARNG for the following reason(s): **(The language used here should be clear, simple, and concise. Even someone outside the military should be able to read it and understand why the project or mission is important. A blanket statement without explanation is insufficient. Do not exaggerate). State why the position is necessary and not just request help so others in the office will not be over worked. Be as specific as possible so that the approving authority knows why this position should be approved.**

5. Point of contact for this request is **(name and phone number of person the NGB-ARO-O ADSW Program Manager can contact for additional information).**

**Signature block of sponsor approving officer (Require an O6 or higher signature block. Can be signed “for” that person. Must have an actual signature. We can accept a faxed or scanned copy as long as it is an actual signature)**

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## Enclosure 2

State Letter Head

Office Symbol

Date

MEMORANDUM FOR Chief, National Guard Bureau, ATTN, NGB-ARO-O, 111 South George Mason Dr.,  
Arlington, VA 22204-1382.

SUBJECT: State Release for Title 10 Active Duty for Special Work (ADSW)

1. The following Soldier is released to perform a Title 10 ADSW tour:

- a. Soldier's name and social security number:
- b. Soldier's unit of assignment:
- c. Total time AFS in years and months:
- d. Dependents (yes or no):
- e. Additional duty pay authorized (if yes, what type):
- f. Pay Entry Basic Date (PEBD):

2. As the Adjutant General's representative, I certify the following:

a. I have a copy of the Soldier's completed form 1058-R. I have reviewed the form and found it to be complete and accurate IAW requirements of AR 135-200.

b. This Soldier meets all regulatory requirements of AR 135-200 including:

(1) Soldier will not exceed three years of continuous active duty in any combination of AFS during the requested Title 10 ADSW short tour.

(2) Soldier is not within 6 months of MRD or ETS as of tour start date.

(3) Soldier has current Chapter 3 Physical and Annual Medical Certificate (Updated in MEDPROS).

(4) Soldier has current negative HIV screening and these results are updated in MEDPROS.

(5) The Soldier has completed a record APFT in the previous twelve months and passed. Further, the Soldier is within height, weight, and body-fat standards IAW AR 600-9. The date on the latest body-fat worksheet is within six months of the tour start date.

3. The Soldier is released for Title 10 ADSW duty for an unspecified period of time. At the Adjutant General's discretion, the Soldier may be recalled from the Title 10 ADSW tour at any time.

Signature Block